

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Andrew P. Ayscough et al.

Serial No.: 10/510,600

Filed: October 12, 2004

For: Antibacterial Agents

Atty. Docket No.: 010180.00028

Confirmation No.: 1789

U.S. National Stage of

International Application No.:

PCT/GB2003/001541

Filed: April 9, 2003

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

U.S. Patent and Trademark Office
 Randolph Building
 Customer Service Window, Mail Stop PCT
 401 Dulany Street
 Alexandria, VA 22314

Sir:

In response to the Notification of Missing Requirements mailed April 7, 2005, Applicants submit herewith the executed Declaration/Power of Attorney to complete the filing of the instant application.

Applicants hereby submit two (2) identical Declarations: the first executed by the named inventor Andrew Paul Ayscough and the second executed by the named inventor Kenneth Keavey. These two Declarations are to be considered as a single complete Joint Declaration and Power of Attorney in the above-captioned patent application.

10/27/2005 MKAYPAGH 00000142 190733 10510600

FEES

01 FC:1617

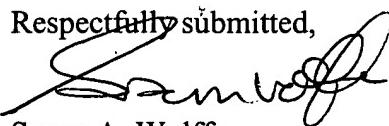
130.00 DA

The Commissioner is authorized to charge the requisite late filing surcharge of \$130.00 and the five-month extension fee of \$2160 to Deposit Account No. 19-0733. A Petition For Extension Of Time Under 37 CFR 1.136(a) and Fee Transmittal for FY 2005 are being filed concurrently herewith. In the event of Applicants' miscalculation of fees due, the Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0733.

Date: 10/27/05

Banner & Witcoff, Ltd.
 1001 G Street, N.W.
 Washington, D.C. 20001
 Telephone 202-824-3000

Respectfully submitted,


 Susan A. Wolffe
 Reg. No. 33,568

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

for FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 2290

Complete If Known	
Application Number	10/510,600
Filing Date	October 12, 2004
First Named Inventor	Andrew P. Ayscough
Examiner Name	TBA
Art Unit	TBA
Attorney Docket No.	010180.000028

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order None Other (please identify) : _____ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity
			Fee (\$)	Fee (\$)
- 20 or HP = _____ x _____ = _____			_____	_____
HP = highest number of total claims paid for, if greater than 20.			_____	_____
Indep. Claims			Fee (\$)	Fee Paid (\$)
- 3 or HP = _____ x _____ = _____			_____	_____
HP = highest number of independent claims paid for, if greater than 3.			_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
			=	_____
- 100 = _____ / 50 = _____ (round up to a whole number) x _____				_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : 5-Month Extension Fee (\$2160) and Late Filing Surcharge (\$130)

\$2290

SUBMITTED BY

Signature	Susan Wolfe	Registration No. (Attorney/Agent)	33,568	Telephone	202-824-3000
Name (Print/Type)	Susan A. Wolfe	Date	10/24/05		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/510,600	Andrew P. Ayscough	010180.00028

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

APR 11 2005

INTERNATIONAL APPLICATION NO.

PCT/GB03/01541

I.A. FILING DATE	PRIORITY DATE
04/09/2003	04/13/2002

CONFIRMATION NO. 1789
371 FORMALITIES LETTER



OC000000015669904

Date Mailed: 04/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Preliminary Amendments filed on 10/12/2004
- Information Disclosure Statements filed on 10/12/2004
- Request for Immediate Examination filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Priority Documents filed on 10/12/2004

Docketed 4-12-05
Attny SAW/JNTL
Case Ref 010180.00028
Action MISSING Req
Due Date 6-1-05
Last Day 11/1/05
By [Signature]

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,
WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,600	PCT/GB03/01541	010180.00028

FORM PCT/DO/EO/905 (371 Formalities Notice)